

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION

UNITED STATES OF AMERICA)	<u>INDICTMENT</u>
)	
)	Case No. _____
v.)	
)	Violations: 21 U.S.C. § 846
)	
HORATIO LOPEZ, a/k/a "HAPPY";)	
OSCAR LOPEZ;)	
NATHAN DAVID McKENZIE,)	
a/k/a NATE McKENZIE;)	
JAELYN FAITH CROWS BREAST;)	
CASSIE LYNN PACKINEAU;)	
DONALD T. RASMUSSEN;)	
KEALOHA ASAGA AULAUMEA,)	
a/k/a "SUNGA";)	
BONITA JUNE CASAREZ;)	
LaTOYA CHRISTINE LONE BEAR;)	
GUY CURTIS SLATES;)	
ASHLY JUNE WHITE;)	
ELIZABETH ANN RODRIGUEZ,)	
a/k/a ELIZABETH LOCKWOOD,)	
a/k/a LIZ RODRIGUEZ;)	
SEAN RAY CONKLIN;)	
CONNIE RAE AZURE;)	
MICHAEL JASON SMITH;)	
TOMAS DAVID HALE;)	
GARY RAY FOOTE, JR., a/k/a "BEAR"))	
HAILEY JO DEANE,)	
a/k/a HAILEY BAKER;)	
AVIS GEAN FINLEY;)	
JUSTIN LLOYD PRICE;)	
AKAKA KATRINA AULAUMEA; and)	
MEGAN DARLENE OVERLIE)	

COUNT ONE

Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine

The Grand Jury Charges:

From in or about July 2012 and continuing until in or about January 2013, in the
District of North Dakota, and elsewhere,

HORATIO LOPEZ, a/k/a “HAPPY”;
OSCAR LOPEZ;
NATHAN DAVID McKENZIE, a/k/a NATE McKENZIE;
JAELYN FAITH CROWS BREAST;
CASSIE LYNN PACKINEAU;
DONALD T. RASMUSSEN;
KEALOHA ASAGA AULAUMEA, a/k/a “SUNGA”;
BONITA JUNE CASAREZ;
LaTOYA CHRISTINE LONE BEAR;
GUY CURTIS SLATES;
ASHLY JUNE WHITE;
ELIZABETH ANN RODRIGUEZ, a/k/a ELIZABETH LOCKWOOD,
a/k/a LIZ RODRIGUEZ;
SEAN RAY CONKLIN;
CONNIE RAE AZURE;
MICHAEL JASON SMITH;
TOMAS DAVID HALE;
GARY RAY FOOTE, JR., a/k/a “BEAR”;
HAILEY JO DEANE, a/k/a HAILEY BAKER;
AVIS GEAN FINLEY;
JUSTIN LLOYD PRICE,
AKAKA KATRINA AULAUMEA; and
MEGAN DARLENE OVERLIE

knowingly and intentionally combined, conspired, confederated, and agreed together with
others, both known and unknown to the grand jury, to possess with intent to distribute and
distribute 50 grams or more of a mixture and substance containing a detectable amount of

methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

Overt Acts

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. It was a part of said conspiracy that the defendants and others would and did possess with intent to distribute and did distribute methamphetamine, a Schedule II controlled substance, within the Fort Berthold Indian Reservation, and elsewhere, in the State of North Dakota;
2. It was further a part of said conspiracy that the defendants and others would and did attempt to conceal their activities;
3. It was a further part of said conspiracy that the defendants and others would and did use United States currency in their drug transactions;
4. It was a further part of said conspiracy that the defendants and others would and did use telecommunication facilities, including cellular telephones, to engage in drug distribution;
5. It was a further part of said conspiracy that the defendants and others met at various locations and communities in northwest North Dakota and exchanged methamphetamine for further distribution on the Fort Berthold Indian Reservation and elsewhere; and

6. It was a further part of said conspiracy that the defendants and others exchanged property, including, but not limited to, motor vehicle titles, electronic equipment, and prescription drugs in exchange for methamphetamine;

In violation of Title 21, United States Code, Section 846.

COUNT TWO

Conspiracy to Distribute and Possess with Intent to Distribute Heroin

The Grand Jury Further Charges:

From in or about July 2012 and continuing until in or about January 2013, in the District of North Dakota, and elsewhere,

HORATIO LOPEZ, a/k/a “HAPPY”;
OSCAR LOPEZ;
NATHAN DAVID McKENZIE, a/k/a NATE McKENZIE;
JAELYN FAITH CROWS BREAST;
CASSIE LYNN PACKINEAU;
DONALD T. RASMUSSEN;
KEALOHA ASAGA AULAUMEA, a/k/a “SUNGA”;
BONITA JUNE CASAREZ;
LaTOYA CHRISTINE LONE BEAR;
GUY CURTIS SLATES;
ASHLY JUNE WHITE;
ELIZABETH ANN RODRIGUEZ, a/k/a ELIZABETH LOCKWOOD,
a/k/a LIZ RODRIGUEZ;
SEAN RAY CONKLIN;
CONNIE RAE AZURE;
MICHAEL JASON SMITH;
TOMAS DAVID HALE;
GARY RAY FOOTE, JR., a/k/a “BEAR”;
HAILEY JO DEANE, a/k/a HAILEY BAKER;
AVIS GEAN FINLEY;
JUSTIN LLOYD PRICE,
AKAKA KATRINA AULAUMEA; and
MEGAN DARLENE OVERLIE

knowingly and intentionally combined, conspired, confederated, and agreed together with others, both known and unknown to the grand jury, to possess with intent to distribute and

distribute heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

Overt Acts

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. It was a part of said conspiracy that the defendants and others would and did possess with intent to distribute and did distribute heroin, a Schedule I controlled substance, within the Fort Berthold Indian Reservation, and elsewhere, in the State of North Dakota;
2. It was further a part of said conspiracy that the defendants and others would and did attempt to conceal their activities;
3. It was a further part of said conspiracy that the defendants and others would and did use United States currency in their drug transactions;
4. It was a further part of said conspiracy that the defendants and others would and did use telecommunication facilities, including cellular telephones, to engage in drug distribution;
5. It was a further part of said conspiracy that the defendants and others met at various locations and communities in northwest North Dakota and exchanged heroin for further distribution on the Fort Berthold Indian Reservation and elsewhere; and
6. It was a further part of said conspiracy that the defendants and others

exchanged property, including, but not limited to, motor vehicle titles, electronic equipment, and prescription drugs in exchange for heroin;

In violation of Title 21, United States Code, Section 846.

A TRUE BILL:

/s/ Grand Jury Foreperson
Foreperson

/s/ Timothy Q. Purdon
TIMOTHY Q. PURDON
United States Attorney

RLV:rab